



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New York District Office

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New York, NY 10004-2112
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June 11, 2019

Via Postal Mail

Attn: Mr. Robert W. Sadowski, Esq.
c/o Amro Ali
800 Third Ave., 28th Floor
New York, NY 11778

**Re: Amro Ali v. Westchester Medical Center & New York Medical College
EEOC Charge No. 520-2019-02246 & 520-2019-02044**

Dear Complainant,

Enclosed you will find a copy of the position statement submitted by *Westchester Medical Center & New York Medical College* ("Respondent") in connection with your above referenced charge of discrimination. Please review it carefully.

Please be advised that the enclosed response to this Charge is a strictly confidential document and the contents are not to be disclosed, released, or discussed with anyone.

The EEOC would like to give you an opportunity to submit a rebuttal to the enclosed response to your Charge. Your rebuttal should point out what you believe to be errors, omissions, or misstatements relevant to your Charge and should include any supporting documentation (i.e., letters, e-mails, etc.) that you received and/or gave to your employer which supports your allegations of discrimination. If you have any witnesses who have direct knowledge or information that is relevant to your Charge, please describe in detail what information each witness can provide the EEOC and include their contact information.

Please submit your written rebuttal by **July 5, 2019**. Once we obtain your rebuttal information, we will consider it, along with all other investigative information, and determine what further steps, if any, are required to complete the investigation.

If you have any questions, please call me at (917) 410-4022 or email me at Christiana.Doriety@eeoc.gov.

Sincerely,

Christiana R. Doriety
Federal Investigator

MEYER SUOZZI

ATTORNEYS AT LAW

Paul F. Millus
Member of the Firm

Meyer, Suozzi, English & Klein, P.C.
990 Stewart Avenue, Suite 300
P.O. Box 9194
Garden City, New York 11530-9194
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June 10, 2019

VIA E-MAIL

Christiana R. Doriety, Investigator
U.S. Equal Employment Opportunity Commissioner
New York District Office
33 Whitehall Street, 5th Floor
New York, NY 10004

Re: EEOC Charge No. 520-2019-02246
Ali/Westchester Medical Center and New York Medical College

Dear Ms. Doriety:

We are the attorneys for Westchester Medical Center ("WMC") and New York Medical College ("NYMC") in connection with the above-referenced EEOC Complaint filed by complainant Amro Ali, M.D. ("Dr. Ali"). Please accept this narrative response together with the attached Answer to the Complaint of Discrimination filed by Complainant on April 22, 2019.

BACKGROUND

Complainant first came to the attention of NYMC in or around October of 2015 when he approached Dr. Sansar Sharma ("Dr. Sharma") and offered to assist Dr. Sharma, who served as a Professor of Ophthalmology and Neuroscience at the NYMC, to perform research and writing. Dr. Ali first studied Ophthalmology and Vision Science in Alexandria University in Egypt eventually obtaining a Master's Degree in the early 1990s and since that time has never participated in an Ophthalmology Residency program and is not a licensed physician. He has been involved in a series of fellowships performing research and writing various areas associated with Ophthalmology, but has never practiced as a physician in this field performing services for a patient as a fully licensed physician.

During his tenure as a researcher, Dr. Ali did indicate that he was interested in obtaining a Residency at WMC through his work at NYMC. He spoke to Dr. Sharma and others several times regarding this matter and was told that they had no power to have Dr. Ali accepted in a Residency program but would support him if they could, primarily based on the fact he was assisting NYMC in an unpaid position. In September of 2016 he applied for what is known as the "San Francisco

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Tel: 516-741-6565 | Fax: 516-741-6706

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P.O. Box 822
New York, New York 10018-0026
Tel: 212-239-4999 | Fax: 212-239-1311

WASHINGTON, D.C.
1300 Connecticut Avenue, N.W.
Suite 600
Washington, DC 20036
Tel: 202-887-6726 | Fax: 202-223-0358

Christiana R. Doriety, Investigator

June 10, 2019

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Match” (“SF Match”). The SF Match or the “Ophthalmology Fellowship Match (OFMP)” was established in 1985. Its goal is to coordinate fellowship appointments between prospective Residents and medical institutions. Participating programs do not make any appointments until the match has been completed. The Association of University Professors of Ophthalmology sponsors the matching process and is responsible for enforcement of applicable rules. The SF Match office does not sponsor or approve any of the participating programs. The function of the Matching Program is strictly limited to processing of the match.

The match takes place each year in December and is used to process all applicants who want to start their fellowship training in July of the following year. Applicants are responsible for ensuring they meet all prerequisites for eligibility prior to registering for the match. According to Dr. Ali’s application for the SF Match, he completed his United States Medical Licensing Examination (USMLE) Step 1 in July 1998 and his Step 2 in May, 1998. His Step 1 and 2 scores were low and below the acceptable threshold. He had not passed his Step 3 which was highly unusual for someone who had been out of medical school for over 20 years. A copy of Dr. Ali’s SF Match Application is annexed as Exhibit “A.” If successful in the SF Match, Dr. Ali would have been eligible for a Post Graduate Year 2 Residency Position in Ophthalmology (“PGY2”) even though he had been out of school since 1994. Dr. Sharma, Dr. Thaddeus Wadel – who was Program Director at NYMC, and Dr. Ronald Gentile of the NY Ear and Eye Infirmary provided the requisite three (3) recommendation letters.

He participated in the interview process in December 2016. Because he was out of school for such a long period, and had been involved in only research and writing for many years, he was required to take the USMLE Step 3 exam before he could be offered the position assuming he passed the interview stage. Dr. Ali met with all of the Ophthalmology Residents at WMC and senior administrative staff. Dr. Ali’s performance in the interview process was subpar. He did not come close to the other candidates, and was in the bottom third in terms of his reviews, and, thus, was not offered the position. Thereafter, he continued his uncompensated research and writing work with Dr. Sharma. A foreign trained Jordanian Ophthalmologist, who scored far higher than Dr. Ali, had passed his USMLE Step 3, and had not been removed from medical school for two decades like Dr. Ali, eventually obtained a Residency position.

In June of 2018, Dr. Ali again inquired about obtaining a Residency position by contacting Dr. Kelly A. Hutchinson who is the Director of Ophthalmology, Westchester Health Network and the Chairman of the Department of Ophthalmology at NYMC. A meeting was held in early July 2018. Dr. Ali, Dr. Hutchinson, Dr. Thaddeus Wandel and Dr. Frederick Z. Bierman, Director and Chief of Graduate Medical Education for WMC were present. Dr. Ali was told that he would not be offered a position as a Resident at WMC. Dr. Ali complained the process was not fair but did not offer any specifics. He was told the process was indeed fair and the fact he passed the Step 3 exam was not part of some *quid pro quo* for his being named to the Residency staff. Dr. Ali became agitated and emotional. He then began threatening to sue and was eventually led out of the meeting by security personnel.

Christiana R. Doriety, Investigator

June 10, 2019

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COMPLAINANT'S CLAIMS OF DISCRIMINATION ARE FRIVOLOUS

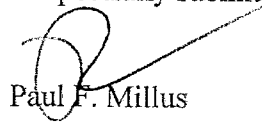
First, Dr. Ali was never employed by WMC and his association with NYMC was never more than a voluntary relationship. He received no pay or benefits. Moreover, Complainant has absolutely no basis in law or fact to contend that he was the victim of unlawful discrimination. Although unclear as to the exact nature of his discrimination and retaliation claims, there is no evidence that either WMC or NYMC discriminated against Dr. Ali based on his national origin or age. Indeed, the one position that he applied for was eventually given to a foreign born and trained physician from the Middle East. He has no evidence other than conjecture that he was not able to obtain a Residency position based on his national origin or age. When Dr. Ali writes concerning his being required to take the USMLE Step 3 Exam, prior to being eligible for Resident status at WMC, it should be made clear that no promise was ever made that if he passed Step 3, that he would be admitted into WMC's Residency program. This is a machination of his mind and nothing more.

In fact, there is indisputable proof that it was Dr. Ali's performance and lack of abilities that disqualified him from consideration. While it is customary that, early in that physician's career he/she will obtain admission to a Residency program, and during that Residency program complete Step 3, Dr. Ali had not even come close to actually being in a Residency program within a reasonable time after he completed his studies overseas. It was also highly unusual that Dr. Ali would simply perform research and writing for almost two decades after he completed medical training overseas and not yet have completed a Residency program and/or passed the USMLE Step 3.

As such, Dr. Ali's primary argument is that he was promised that if he passed the Step 3 he would be permitted to the Residency program at WMC, is false. In fact no such promise could be made as far as Dr. Sharma was concerned. Dr. Sharma had no control whatsoever over who was selected into a Residency program, and, thus, could never make such a promise. The same goes for Dr. Thaddeus Wandel and Dr. Bierman. If Dr. Ali were to qualify to become a Resident, many others were involved in that process and the ultimate decision was based on that process which Dr. Sharma, Dr. Wandel and Dr. Bierman had no input in – let alone the ability to control. In sum, Dr. Ali's filing before the EEOC is frivolous. Of course, Dr. Ali's claim cannot be viewed as based on a breach of contract as the EEOC would not have jurisdiction over such a claim, and this type of claim would be barred by the statute of frauds in any event.

Accordingly, WMC and NYMC will cooperate in the EEOC's investigation and are also prepared to defend against Complainant's claims. If you require any further information, please let me know.

Respectfully submitted,


Paul F. Millus

PFM:mr
Attachment

EXHIBIT A

SF Match
Central Application Service
Ophthalmology Residency

Name: Amro Ali

ApplicantID: 13407

PERSONAL DATA

Name (Last)

Ali

Name (First)

Amro

Name (Middle)

M

Address where you can best be reached:

110-27 72nd. dr., Apt# 2, Forest hills, NY, 11375, United States

Day Phone: 347-623-5406

Eve. Phone: 347-623-5406

Email: amromd@hotmail.com

Alternative, permanent address:

Day Phone:

Eve. Phone:

Email:

I will be able to start training for this residency in: 2016

Are you legally eligible to work in the US during the duration of this training program? ☒ Yes ☐ No

Do you now or in the future need sponsorship from an employer in order to obtain, extend or renew your authorization to work in the United states? ☐ Yes ☒ No

If yes, what type of Visa will you pursue?

☐ J1 ☐ H1B ☐ O-1 ☐ Other _____

PREREQUISITES

I have passed the following examinations:

USMLE, Step 1

Date: 7/12/1998 3 digit Score: _____ 2 digit Score: 78

Number of times taken: _____

USMLE, Step 2 CK

Date: 5/4/1998 3 digit Score: _____ 2 digit Score: 79

Number of times taken: _____

USMLE, Step 3

Date: _____ 3 digit Score: _____ 2 digit Score: _____

Number of times taken: _____

I expect to take the USMLE Step _____ exam on _____ and should receive my score in _____

I have previously passed the following exam(s) which are still valid:

☐ NBME ☐ ECFMG ☐ FLEX ☐ VQE ☐ COMLEX ☐ Other: _____

I am licensed in the States of: NY

ECFMG Registration number (if applicable): 0-560-500-1

**SF Match
Central Application Service
Ophthalmology Residency**
Name: Amro AliApplicant ID: 13407**EDUCATION:**

List your college, medical school, and graduate level experience in chronological order (most recent first)

School / Medical Facility / Institution	Major / Specialty	Dates Attended From (m/m/y) to (m/m/y)	Degree / Date granted	GPA - / Failed on Residency
New York Medical College	Ophthalmology	10/2015- till present	Clinical Instructor	
New York University Langone Medical Center	Neuroscience	07/11 to 12/2015	Research Scientist	
Casey Eye Institute	Uveitis	07/09 to 06/11	Fellowship	
New York Eye & Ear Infirmary	Uveitis	07/07 to 06/09	Fellowship	
Henry Ford Hospital	Refinal/ Neuro	07/03 to 12/05	Fellowship	
North Shore University	General Surgery	07/02 to 06/03	PGY1	

Medical School Class rank (if available): _____ ☒ Class rank not availableAOA Honor Society is available at my school: ☐ No ☒ Yes (If yes, check all that apply below):☐ I was elected as junior/senior. ☐ I was not selected for AOA.**LETTERS OF REFERENCE**

Please indicate below the letters of reference that are part of your application:

Letter Reference #1

Name and Title:

Sansar Sharma, Ph.D. Professor of Ophthalmology and Neuroscience.

Institution:

New York Medical College

Address:

40 Sunshine Cottage Rd, Valhalla, NY 10595

Phone:

914- 594-4382

☒ I have waived access to this letter and have informed the author of this confidentiality.☐ I desire access to this above letter and have informed the author.**Letter Reference #2**

Name and Title:

Thaddeus L Wandel, MD Professor of Ophthalmology and Residency Program Director.

Institution:

New York Medical College

Address:

40 Sunshine Cottage Rd, Valhalla, NY 10595

Phone:

914- 271-5026

☒ I have waived access to this letter and have informed the author of this confidentiality.☐ I desire access to this above letter and have informed the author.**Letter Reference #3**

Name and Title:

C. Michael Samson, MD, MBA-Co-director, Uveitis Service

Institution:

New York Eye and Ear Infirmary

Address:

310 East 14th Street, New York, NY 10003

Phone:

212-979-4515

☒ I have waived access to this letter and have informed the author of this confidentiality.☐ I desire access to this above letter and have informed the author.

SF Match
Central Application Service
Ophthalmology Residency

Name: Amr Al

Applicant ID: 13407

This section is to help selection committees achieve a better understanding of your experiences, motivations, interests and work preferences related to the specialty.

Past and Present Employment:

Employer	Address	Dates Employed From (month) to (month)
New York Medical College	40 Sunshine Cottage Rd, Valhalla, NY 10595	10/2015 till present
New York University Langone Medical Center	550 1st Avenue, New York, NY 10016	07/2010 - 12/2015
Casey Eye Institute	3181 S.W. Sam Jackson Park Rd, Portland, Oregon 97239-3096	07/2007 - 06/2010
New York Eye & Ear Infirmary	310 East 14th Street, New York City, New York 10003	07/2005 - 06/2007
Hakeem Eye Institute	103 Warren Street-Dearborn, Michigan 48201	07/2004 - 06/2005
Henry Ford Hospital	2799 West Grand Boulevard, Detroit, Michigan 48202	07/2002 - 06/2004
North Shore University	308 Community Drive, Manhasset, New York-11030	07/2001 - 06/2002

Public Service and Activities:

New Avenues for Youth's Mission (NAFY) Program:

A program that offers services that empower homeless youths to exit street life. I provided medical care through this program to many homeless. We also planned to expand to provide this medical care to some nursing home and day care centers.

Casey Eye Institute Mobile Clinic:

This is mobile clinic with free services serving areas outside of the city. This clinic helped in screening and early diagnosis of early of many eye diseases such as diabetic retinopathy and macular degeneration.

New York Eye and Ear Infirmary:

We used to spend one day over the weekend end for public screening. This screening helped in providing refraction, recommendations, and referrals to sub-specialty ophthalmologist.

University of Alexandria Outreach Community Program for Sanitation and Hygiene:

We used to go for trips to underserved areas to discuss and address challenges such as lack of water and electricity.

Egyptian National Program with WHO for Poliomyelitis Eradication:

Our main focus during this mission is to provide vaccines and education.

Outside interests and hobbies:

My hobbies and interests depend on whether I am at home or outside. If I am at my home, then my main interests are my kids. I spend a lot of time with my kids educating them about different aspect of life, nature and others. I always encourage them toward good works and help them in their study and play different kinds of sport with them because sports is very important factor anyone's life. I also enjoy romantic poetry reading and writing. In addition to that, I enjoy listening to music, travelling to new places, swimming, camping and fishing.

**SF Match
Central Application Service
Ophthalmology Residency**

Names: Amro Ali

ApplicantID: 13407

Career Objectives:

I am looking forward to complete my residency training in ophthalmology and join academic institute where I can pursue my career involved in patient care, research as clinical scientist, resident education and community service. Clinician scientists have a unique role in ophthalmology. Some identify clinically relevant questions that they seek to answer in the laboratory.

Specialty elective(s) and related activities:

Harkness Eye Institute:

I spent two month with Dr. Peter Gouras in his lab, where I learned about retina and wet lab techniques.

Diabetic Screening Program:

During my internship in Alexandria University, we used to screen people for diabetic retinopathy at public schools, mosques and churches in Egypt.

Honors, Awards and Achievements:

The Glaucoma Foundation:Active funding Funded for studying exfoliating glaucoma. "AntiGlycan Antibody Immunoprofiles as Biomarkers in Early Detection of Exfoliation Syndrome"

American Academy of Ophthalmology 2005:

Active Member of American Academy of Ophthalmology

Alexandria University School of Medicine, Egypt, 1994 to 1998:

Honor Degree: Senior Years- November 1994.

Scholarship: November 1994-October 1998.

SF Match
Central Application Service
Ophthalmology Residency

Name: Amro Ali

ApplicantID: 13407

Autobiographical Sketch:

I have always believed that success is a type of obsession, an obsession with perfection and the ability to turn a weakness into strength and criticism into perfection. My passion for humanity and science has started long ago during my undergraduate education. This made me determined to go to medical school. I was eager to master knowledge about the human body, and focused especially on the eye. My interest in ophthalmology continued with the completion of my master's degree in ophthalmology and visual science at Alexandria University in Egypt. This was followed by four clinical fellowships in the United States in neuro-ophthalmology, medical retina, and two fellowships in uveitis and ocular immunology. During these fellowships, I produced ten peer-reviewed articles, four abstracts and four textbook chapters.

Through my school years, I became increasingly fascinated with the complexity of the eyeball, the visual system and how an Ophthalmologist can influence an individual's life. I read more about the history of ophthalmology and about previous scientists who contributed to the field. I have been inspired by Ibn al-Haytham, an Arab scientist who wrote extensively on optics and the anatomy of the eye in his Book of Optics. I am also impressed by other many physician scientists such as William Horatio Bates Creator of the unorthodox Bates Method, credited for being the founder of the Natural Vision Improvement movement, Charles Kelman who developed the ultrasound and mechanized irrigation and aspiration system for phacoemulsification, first allowing cataract extraction through a small incision and Charles Schepens "Father of modern retinal surgery".

Eyesight is truly a gift. I vividly recall observing my newborn son as both a father and as a scientist, and looking at him with his eyes covered during phototherapy. It was very clear to me how much this eye coverage was annoying him, and fortunately it would only be necessary for just a few hours. Many of us are given this gift of eyesight from birth, but many others are not. For others eyesight may fade over the years and others may have it taken away at some point in life.

If I may pull out my crystal ball and predict the future, I foresee the day when permanent loss of vision becomes a rare event. I envision a world without blindness, enabling a more active contribution to the community as well as a better quality of life for a significant proportion of people. I began participation in the New Avenues for Youth's Mission (NAFY) program offering services that empower homeless youths to exit street life. One of these services is medical care, which is where I contribute.

In 2011, I joined New York University Langone Medical center working as a research scientist where I have the opportunity to interact with different departments and to learn from many senior scientist in different fields. I currently joined New York Medical College and working with Dr. Sansar Sharma on many basic and translational science projects. We are studying the impact of sleeve gastrectomy on the course of diabetic retinopathy. We submitted a grant to Ethicon and Bariatric Surgery Society to study the impact of bariatric surgery on the diabetic retinopathy.

My first and foremost goal is to acquire excellent academic and clinical knowledge of general ophthalmology that will allow me to pursue my intentions and become a well-rounded ophthalmologist. Toward such a goal, I am applying for the residency in Ophthalmology in your superb program. Solid foundations of clinical and surgical training in your residency program are essential for becoming an ophthalmologist. Accomplishment of this goal through completion of my ophthalmology residency training in your program will be a corner stone in my career as it will help me to proceed for the next step, which is proceeding for a vitreoretinal surgical fellowship. I am also planning to register for ORBIS programs that focus on the prevention of blindness and the treatment of blinding eye diseases in developing countries after finishing my residency training. In closing, this outstanding clinical and surgical exposure will help me to treat and saving eye diseases world wide through ophthalmology mission trips to different countries.

SF Match
Central Application Service
Ophthalmology Residency

Name: Amro Ali

Applicant ID: 13407

Research activities, papers and/or additional information:
 List all authors and complete reference in chronological order.

Grant Support:

1. The Glaucoma Foundation 2014: Funded for studying exfoliating glaucoma. (Active funding) "Anti-Glycan Antibody Immunoprofiles as Biomarkers in Early Detection of Exfoliation Syndrome". Role in the grant: co-Principle Investigator.
2. Impact of Laparoscopic Sleeve Gastrectomy on the Course of Diabetic Retinopathy. Grant is submitted to Ethicon. Role in the grant: Principle Investigator.
3. Impact of Volatile Anesthetics on Retinal Pigment Epithelial Cells. Grant is submitted Society of Anesthesia and Sleep Medicine (SASM). Role in the grant: Co-Principle Investigator.

Publications:

1. Ali A, Ku JH, Suhler EB, Choi D, Rosenbaum JT. The course of retinal vasculitis. Br J Ophthalmol. 2014 Jun;98(6):785-9.
2. Ali A, Rosenbaum JT. TINU (tubulointerstitial nephritis uveitis) can be associated with chorioretinal scars. Ocul Immunol Inflamm. 2014 Jun;22(3):213-7.
3. Ku JH, Ali A, Suhler EB, Choi D, Rosenbaum JT. Characteristics and visual outcome of patients with retinal vasculitis. Arch Ophthalmol. 2012 Oct;130(10):1261-6.
4. Ali A, Steven T Bailey, CMV Retinitis. Joseph Maguire, Ann Murchison, Edward Jaeger. Wills Eye Institute 5-Minute Ophthalmology Consult, 1st ed. Lippincott Williams & Wilkins 2012
5. Ali A, Rosenbaum JT. What is the Single Most Important Source of Diagnostic Leads for Uncovering a Diagnosable Cause of Uveitis? Foster, C. Stephen, Opremac, E. Mitchell, Hinkle, David. Curbside Consultation in Uveitis: 49 Clinical Questions, 1st ed. Slack Inc 2012-02-15, 2012
6. Rosenbaum JT, Ku J, Ali A, Choi D, Suhler EB. Patients with retinal vasculitis rarely suffer from systemic vasculitis. Semin Arthritis Rheum. 2012 Jun;41(6):859-65. doi: 0.1016/j.semarthrit.2011.10.006. Epub 2011 Dec 15. PubMed PMID: 22177107.
7. Ali A, Rosenbaum JT. Use of methotrexate in patients with uveitis. Clin Exp Rheumatol. 2010 Sep-Oct;28(5 Suppl 61):S145-50. Epub 2010 Oct 28. Review.
8. Landa G and Ali A et al. Comparative study of intravitreal bevacizumab (Avastin) versus ranibizumab (Lucentis) in the treatment of neovascular age-related macular degeneration. Ophthalmologica. 2009;223(6):370-5. doi: 10.1159/000227783. Epub 2009 Jul 8.
9. Samson CM, Ali A, Stephen Foster. EMedicine, Birdshot Retinopathy. 2009
10. Ali A, Samson CM. Seronegative spondyloarthropathies and the eye. Curr Opin Ophthalmol. 2007 Nov;18(6):476-80. Review.

Posters/Abstracts:

1. Rituximab in the Treatment of Refractory Scleritis and Non-infectious Orbital Inflammation: 24 Week Outcomes from a Phase I/II Prospective, Randomized Study. May 04, 2011. ARVO 2011. Nicholas J. Butler, A Ali, Justine R. Smith, James T. Rosenbaum, Eric B. Suhler.
2. Anterior Uveitis Prevalence and Activity in Women of Different Reproductive Life Stages R.H. McGlynn, Jr., CM. Samson, A. Ali, S.R. Kedhar, W. Amde, J. Shulman. Ophthalmology, New York Eye and Ear Infirmary, New York, NY. Poster Session 113. Clinical Ocular Inflammatory Disease. ARVO 2009.
3. Chronic Cystoid Macular Edema (CME) Secondary to Uveitis K.M. Narayana, S. Dorairaj, S. Kedhar, P. Lalkary, A. Ali, C. Samson. Uveitis/Ophthalmology. New York Eye and Ear Infirmary, New York, NY Poster Session 226. Clinical Ocular Inflammatory Disease II. ARVO 2009
4. Intravitreal Injection of Kenalog as an Adjunctive Treatment for Uveitis Patient Undergoing Cataract Surgery D. Yin, A. Ali, M.C. Samson. Ophthalmology, New York Eye and Ear Infirmary, New York, NY Poster Session 226. Clinical Ocular Inflammatory Disease II. ARVO 2009.

I certify that the information in this application is true and complete and that I have not withheld information that might significantly affect my qualifications for residency training. I understand that any misrepresentation in this application and its accompanying documents may be cause for immediate termination of my application process or future employment. I authorize any training program that receives this application to contact any or all of my former employers, educational institutions and/or other persons or organizations who may have information relevant to my application. I understand that any information obtained will be treated as confidential information. I authorize SFMatch to use any information I have provided to SFMatch in any study approved by SFMatch, provided that no information clearly and uniquely identifiable with me is disclosed in reports resulting from such study. I intend to complete all prerequisites before the start of my residency training. I understand that any contract or match result will be void if I do not satisfactorily complete my prerequisite training or if I fail to meet other requirements that have been explicitly stated to all applicants. I will formally withdraw from this match prior to the rank list due date if I accept any position outside of this match before the due date. If I match through SF Match, I will withdraw from all other competitive matches in post-graduate medicine.

Signature: Amro Ali

Date: 09/21/2016

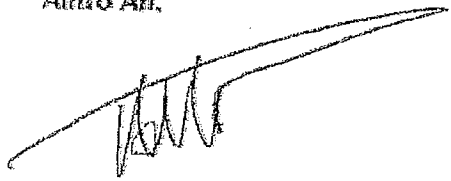
Amro Ali (ID: 13407)
7 Hegeman Ave
Apt 20D
Brooklyn, NY, 11212, United States
Phone: 3476235406
Cell: 3476235406

RE: College transcripts

Dear Chairperson,

We do not have in our system a college degree between high school and medical school.
Thus, College transcripts are not available.

Amro Ali,

A handwritten signature in black ink, appearing to be 'Amro Ali', with a long, sweeping horizontal line extending to the right.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

----- X		
AMRO ALI, M.D.,	:	
Complainant,	:	
	:	EEOC Charge No. 520-2019-02246
-against-	:	
	:	<u>ANSWER TO COMPLAINT</u>
WESTCHESTER MEDICAL CENTER and	:	<u>OF DISCRIMINATION</u>
NEW YORK MEDICAL COLLEGE,	:	
	:	
Respondents.	:	
----- X		

Westchester Medical Center ("WMC") and New York Medical College ("NYMC") (collectively the "Respondents") by their attorneys, Meyer, Suozzi, English & Klein, P.C. hereby submits its Answer to the Charge of discrimination filed by complainant Amro Ali, M.D. ("Dr. Ali") on April 22, 2019 as follows:

1. Respondents deny having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1.
2. Respondents deny the allegations contained in paragraph 2.
3. Respondents deny the allegations contained in paragraph 3.
4. Respondents admit that the USMLE is not required by the Federal State Medical Board or the New York State Medical Board prior to commencing a residency program and respectfully refer the EEOC to all rules and regulations pertaining to both Boards and the WMC documents referred to in paragraph 4 for the true meaning and content thereof.
5. Respondents deny the allegations contained in paragraph 5.
6. Respondents deny the allegations contained in paragraph 6.
7. Respondents deny having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 and specifically deny that Dr. Wandel

expressed to Dr. Sharma and Dr. Ali that WMC needed to produce more research and publications and in exchange for Dr. Ali's research and publications he would obtain a residency position.

8. Respondents deny the allegations contained in paragraph 8.

9. Respondents admit the allegations contained in paragraph 9 to the extent that certain papers were published, Dr. Ali did some work on a textbook and IRB and that he attempted, unsuccessfully, to apply for grants and specifically deny having knowledge or information sufficient to form a belief as to the allegation that Dr. Ali expected, based on WMC-NYMC representations, that the institution would grant him a residency.

10. Respondents deny the allegations contained in paragraph 10 except admit that in November 2016, Dr. Ali applied to the San Francisco Match and was formally interviewed at WMC.

11. Respondents deny the allegations contained in paragraph 11.

12. Respondents deny the allegations contained in paragraph 12 except admit that in April 2018 Dr. Ali passed the Step 3 exam.

13. Respondents deny the allegations contained in paragraph 13.

14. Respondents deny the allegations contained in paragraph 14.

15. Respondents deny the allegations contained in paragraph 15 except admit that on September 5, 2018, Dr. Ali formally presented his claims to WMC's attorney, Barbra Krakowski.

16. Respondents deny the allegations contained in paragraph 16.

17. Respondents deny the allegations contained in paragraph 17.

18. Respondents deny the allegations contained in paragraph 18.

19. Respondents deny the allegations contained in paragraph 19.

20. Respondents deny the allegations contained in paragraph 20 and aver that Claimant was never employed by WMC and NYMC.

21. Respondents deny the allegations contained in paragraph 21.

22. Respondents deny the allegations contained in paragraph 22.

23. Respondents deny the allegations contained in paragraph 23.

24. Respondents deny the allegations contained in paragraph 24 except admit that Dr. Ali first applied in November 2015, one year before the San Francisco Match, for an advanced position at PGY 3.

25. Respondents admit the allegations contained in paragraph 25 except deny that that Qatari resident was also required to pass the Step 3 exam.

26. Respondents deny the allegations contained in paragraph 26.

27. Respondents deny the allegations contained in paragraph 27.

28. Respondents deny the allegations contained in paragraph 28.

29. Respondents deny the allegations contained in paragraph 29.

WHEREFORE, Respondents respectfully request that the instant charge be dismissed in its entirety.

Dated: Garden City, New York
June 10, 2019

MEYER, SUOZZI, ENGLISH & KLEIN, P.C.

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